HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 4307 of 2007

PETITIONER		Banti Dadar @ Ajay Kumar Son of Late Shri B.K. Dadar, aged about 37 years, Caste Christian, Occupation Service, Resident of Kachaharipara Baikunthpur, District Koriya (C.G.)
		Versus
RESPONDENTS	1	South Eastern Coalfields Limited, Through: The Chairman cum Managing Director, Seepat Road Bilaspur (C.G.)
	2	The General Manager, South Eastern Coalfields Limited Baikunthpur Area, District Koriya (C.G.)
	3	The Collector, Koriya, District Koriya (C.G.)
	4	The Sub Divisional Officer (Revenue) Baikunthpur, District Koriya (C.G.)
	5	The Tahsildar, Baikunthpur, District Koriya (C.G.)
	6	Shri S.K. Shukla Son of Late R.D. Shukla, Headmaster, aged about 59 years, Resident of Kachaharipara, Baikunthpur, District Koriya (C.G.)

Appearance:

Shri Ashok Kumar Shukla, counsel for the petitioner.

ORAL ORDER
(26.07.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is presently working as a general *Majdoor* category-II in S.E.C.L., Baikunthpur, has challenged the validity of order passed by the S.D.O. as also the Collector. The Collector has said the authority for initiation of enquiry against the petitioner in the matter of his compassionate appointment.

On being pointedly asked from learned counsel for the petitioner as to whether any departmental enquiry has been initiated by now or not? Learned counsel submits that till now no departmental enquiry has been initiated against the petitioner. However, he submits that the observation made in the memo of the Collector, may come against the petitioner in the departmental enquiry and it may go against him, therefore, the petition has been filed for quashing of memo.

Needless to say that the departmental enquiry is to be concluded on the basis of evidence produced before the concerned authority and not on the basis of memo issued by the Collector.

There appears to be no reason to interfere in the matter of the petitioner at this stage. The petition appears to be premature and the same is summarily dismissed.

Sd/-
Sunil Kumar Sinha
Judge

vatti